

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEVE T. GILES,)
)
)
Plaintiff,)
)
)
v.) Case No. 15 C 7640
)
)
STATE OF ILLINOIS,)
)
)
Defendant.)

MEMORANDUM ORDER

Steve Giles ("Giles") has filed a self-prepared Complaint against the State of Illinois coupled with an In Forma Pauperis Application ("Application"), with the latter document being tendered on a Clerk's-Office-supplied form. This memorandum order is issued *sua sponte* because Giles' Complaint clearly displays the absence of federal subject matter jurisdiction.

It should be made plain at the outset that nothing said here expresses any views as to the substantive charges leveled by Giles in his one-page narrative. Instead the more fundamental problem is that the Eleventh Amendment to the United States Constitution forbids the institution of such a federal court lawsuit against the State of Illinois itself -- to choose only one case among the thousands that so hold, Calderon v. Ashmus, 523 U.S. 740, 745 n. 2 (1998) is typical of such cases in its flat-out statement that "the Eleventh Amendment is jurisdictional in the sense that it is a limitation on the federal court's judicial power, and therefore can be raised at any stage of the proceedings."

Accordingly both the complaint and this action are dismissed with prejudice. And that in turn calls for the denial of the Application as moot.



Milton I. Shadur
Senior United States District Judge

Date: September 2, 2015